IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE SIDE

CRIMINAL WRIT PETITION NO.928 OF 2005

P.M.Rahate ...Petitioner
Vs.
Hindustan Construction Co.Ltd.
& Ors. ...Respondents

Mr.P.M.Rahate in person
Mr. K.V.Saste A.P.P. for the State
Mr. Sanay Udeshi for Respondent No.7

CORAM: B.H.MARLAPALLE & ROSHAN DALVI, JJ.
DATED: 6TH FEBRUARY, 2006

P.C.

1. We have heard he Petitioner party in person and by this Petition it is prayed for directions to proceed under Section 29 of the Companies Act, 1956 and also show cause notice to be issued against Respondent Nos.1 to 13 under the same provision read with Section 195 of the Criminal Procedure Code. He insisted that along with these 2 prayers, he also seeks directions against Respondent Nos.1 to 13 to produce service records before the learned Metropolitan Magistrate in the pending proceedings. The very same prayer has also been made in Writ Petition No.1486 of 2005.

2. Respondent Nos.1 to 13 are all the private parties and Respondent No.1 is a Company registered under the Companies Act, whereas respondents 2 to 13 are individuals. It has not been pointed out that the

relief sought in this Petition against respondent No.1 is for performing any statutory duty and therefore, this Petition against the private bodies cannot be entertained.

3. The same is hereby rejected summarily.

(ROSHAN DALVI,J.) (B.H.MARLAPALLE, J.)